

FILED
10/1/2019 2:04 PM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
6786407

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DIVISION, LAW DEPARTMENT**

GEORIEA HAWKINS,

Plaintiff,

vs.

WILLIAM HENRY SOWER and
DJS TRUCKING EXPRESS, INC.

Defendant.

No. 2019l010842

PLAINTIFF DEMANDS TRIAL BY JURY

COMPLAINT AT LAW

Plaintiffs, GEORIEA HAWKINS, by and through her attorneys, DUNCAN LAW GROUP, LLC, for her Complaint at Law against Defendants, WILLIAM HENRY SOWER (hereinafter "SOWER") and DJS TRUCKING EXPRESS, INC., pleading hypothetically and in the alternative, states the following:

COUNT I

Negligence – William Henry Sower

1. On and before October 5, 2017, the Dan Ryan Expressway was a freeway running in a north-south direction in Chicago, Cook County, Illinois.
2. On and before October 5, 2017, 37th Street was a street running in an east-west direction in Chicago, Cook County, Illinois.
3. On October 5, 2017, Plaintiff, GEORIEA HAWKINS, was operating her vehicle in a southbound direction on the Dan Ryan Expressway, at or near its intersection with 37th Street in Chicago, Cook County, Illinois.

EXHIBIT A

4. On October 5, 2017, Defendant, SOWER, operated, managed, maintained and controlled a semi-tractor trailer in a southbound direction on the Dan Ryan Expressway, at or near its intersection with 37th Street in Chicago, Cook County, Illinois.

5. At the time and place aforesaid, the semi-tractor trailer, operated, managed, maintained and controlled by Defendant, SOWER, was following the vehicle operated by Plaintiff, GEORIEA HAWKINS.

6. At the time and place aforesaid, the semi-tractor trailer operated, managed, maintained and controlled by Defendant, SOWER, collided with the rear of the vehicle operated by Plaintiff, GEORIEA HAWKINS.

7. It was then and there the duty of Defendant, SOWER, to exercise ordinary care and caution in the operation, management, maintenance and control of the semi-tractor trailer he was operating so as not to cause injury or damage to the person or property of Plaintiff, GEORIEA HAWKINS.

8. Notwithstanding his duty, Defendant, SOWER, was then and there negligent in one or more of the following respects:

- a. Failed to decrease the speed of said semi-tractor trailer as was necessary to avoid colliding with Plaintiff, GEORIEA HAWKINS vehicle in violation of 625 ILCS 5/11-710(a); or,
- b. Operated said semi-tractor trailer more closely than was reasonable and proper to another vehicle contrary to and in violation of 625 ILCS 5/11-710(a); or,
- c. Drove his semi-tractor trailer at a speed which was greater than was reasonable and proper with regard to traffic conditions and which endangered the safety of the person and property of others, contrary to and in violation of 625 ILCS 5/11-601(a); or,
- d. Operated his semi-tractor trailer without keeping a proper and sufficient lookout; or,

- e. Failed to operate his semi-tractor trailer in a reasonably safe manner so as not to cause injury to Plaintiff, GEORIEA HAWKINS; or,
- f. Was otherwise careless and/or negligent.

9. As a direct and proximate result of one or more of the foregoing negligent acts or omissions of Defendant, SOWER, Plaintiff, GEORIEA HAWKINS, sustained injuries of a personal, pecuniary and permanent nature.

WHEREFORE, Plaintiff, GEORIEA HAWKINS, prays for judgment against Defendant, SOWER, in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

COUNT II

Negligence – William Henry Sower/DJS Trucking Express, Inc.

1. On and before October 5, 2017, Defendant, DJS TRUCKING EXPRESS, INC., was an Arkansas Corporation, licensed and doing business in the State of Illinois.

2. On October 5, 2017, Defendant, DJS TRUCKING EXPRESS, INC., owned the semi-tractor trailer (VIN: 1XKWDB9X85J086335) operated by Defendant, SOWER.

3. On October 5, 2017, and at all times mentioned herein, Defendant, SOWER, was the agent and/or employee of Defendant, DJS TRUCKING EXPRESS, INC.

4. At all times mentioned herein, Defendant, SOWER, was acting within the scope of his agency and/or employment with Defendant, DJS TRUCKING EXPRESS, INC.

5. On and before October 5, 2017, the Dan Ryan Expressway was a freeway running in a north-south direction in Chicago, Cook County, Illinois.

6. On and before October 5, 2017, 37th Street was a street running in an east-west direction in Chicago, Cook County, Illinois.

7. On October 5, 2017, Plaintiff, GEORIEA HAWKINS, was operating her vehicle in a southbound direction on the Dan Ryan Expressway, at or near its intersection with 37th Street.

8. On October 5, 2017, Defendant, SOWER, operated, managed, maintained and controlled a semi-tractor trailer in a southbound direction on the Dan Ryan Expressway, at or near its intersection with 37th Street in Chicago, Cook County, Illinois.

9. At the time and place aforesaid, the semi-tractor trailer, operated, managed, maintained and controlled by Defendant, SOWER, was following the vehicle operated by Plaintiff, GEORIEA HAWKINS.

10. At the time and place aforesaid, the semi-tractor trailer operated, managed, maintained and controlled by Defendant, SOWER, collided with the rear of the vehicle operated by Plaintiff, GEORIEA HAWKINS.

11. It was then and there the duty of Defendant, SOWER, individually, and as agent and/or employee of Defendant, DJS TRUCKING EXPRESS, INC., to exercise ordinary care and caution in the operation, management, maintenance and control of the semi-tractor trailer he was operating so as not to cause injury or damage to the person or property of Plaintiff, GEORIEA HAWKINS.

12. Notwithstanding his duty, Defendant, SOWER, individually, and as agent and/or employee of Defendant, DJS TRUCKING EXPRESS, INC., was then and there negligent in one or more of the following respects:

- a. Failed to decrease the speed of said semi-tractor trailer as was necessary to avoid colliding with Plaintiff, GEORIEA HAWKINS vehicle in violation of 625 ILCS 5/11-710(a); or,
- b. Operated said semi-tractor trailer more closely than was reasonable and proper to another vehicle contrary to and in violation of 625 ILCS 5/11-710(a); or,
- c. Drove his semi-tractor trailer at a speed which was greater than was reasonable and proper with regard to traffic conditions and which endangered the safety of the person and property of others, contrary to and in violation of 625 ILCS 5/11-601(a); or,

- d. Operated his semi-tractor trailer without keeping a proper and sufficient lookout; or,
- e. Failed to operate his semi-tractor trailer in a reasonably safe manner so as not to cause injury to Plaintiff, GEORIEA HAWKINS; or,
- f. Was otherwise careless and/or negligent.

13. As a direct and proximate result of one or more of the foregoing negligent acts or omissions of Defendant, SOWER, individually, and as agent and/or employee of Defendant, DJS TRUCKING EXPRESS, INC., Plaintiff, GEORIEA HAWKINS, sustained injuries of a personal, pecuniary and permanent nature.

WHEREFORE, Plaintiff, GEORIEA HAWKINS, prays for judgment against Defendant, SOWER, individually, and as agent and/or employee of Defendant, DJS TRUCKING EXPRESS, INC., in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

Respectfully Submitted,
DUNCAN LAW GROUP, LLC


Counsel for Plaintiff

Robert R. Duncan
Nicholas P. Kelly
DUNCAN LAW GROUP, LLC
161 N. Clark, Suite 2550
Chicago, IL 60601
Phone: (312) 202-3283
Fax: (312) 202-3284
Atty No.: 47926
Email: rrd@duncanlawgroup.com
npg@duncanlawgroup.com

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DIVISION, LAW DEPARTMENT

GEORIEA HAWKINS,

Plaintiff,

vs.

WILLIAM HENRY SOWER and
DJS TRUCKING EXPRESS, INC.

Defendant.

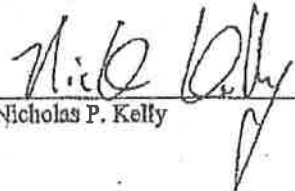
No.

PLAINTIFF DEMANDS TRIAL BY JURY

RULE 222 AFFIDAVIT

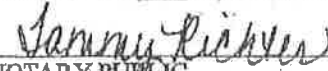
I, Nicholas P. Kelly, the affiant, on oath, state:

The total amount of money damages sought in this matter does exceed \$50,000.00.



Nicholas P. Kelly

SUBSCRIBED AND SWORN TO
before me this 1st day of October, 2019.



NOTARY PUBLIC

Robert R. Duncan
Nicholas P. Kelly
DUNCAN LAW GROUP, LLC
161 N. Clark, Suite 2550
Chicago, IL 60601
Phone: (312) 202-3283
Fax: (312) 202-3284
Atty No. 47926



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DIVISION, LAW DEPARTMENT

GEORIEA HAWKINS,

Plaintiff,

vs.

WILLIAM HENRY SOWER and
DJS TRUCKING EXPRESS, INC.

Defendant.

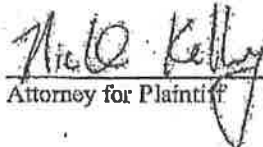
No.

PLAINTIFF DEMANDS TRIAL BY JURY

JURY DEMAND

The undersigned demands a jury trial.

Respectfully submitted,
DUNCAN LAW GROUP, LLC


Attorney for Plaintiff

Robert R. Duncan
Nicholas P. Kelly
DUNCAN LAW GROUP, LLC
161 N. Clark, Suite 2550
Chicago, IL 60601
Phone: (312) 202-3283
Fax: (312) 202-3284
Atty No.: 47926

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DIVISION, LAW DEPARTMENT

GEORGIA HAWKINS,

Plaintiff,

vs.

WILLIAM HENRY SOWER and
DJS TRUCKING EXPRESS, INC.

Defendant.

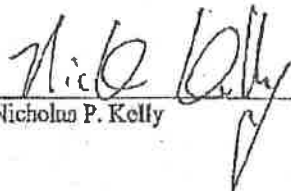
No.

PLAINTIFF DEMANDS TRIAL BY JURY

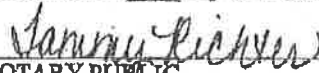
RULE 222 AFFIDAVIT

I, Nicholas P. Kelly, the affiant, on oath, state:

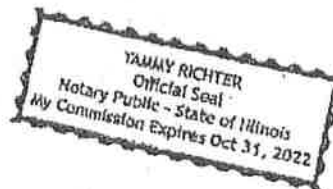
The total amount of money damages sought in this matter does exceed \$50,000.00.


Nicholas P. Kelly

SUBSCRIBED AND SWORN TO
before me this 1st day of October, 2019.


NOTARY PUBLIC

Robert R. Duncan
Nicholas P. Kelly
DUNCAN LAW GROUP, LLC
161 N. Clark, Suite 2550
Chicago, IL 60601
Phone: (312) 202-3283
Fax: (312) 202-3284
Atty No. 47926



AL132450

FILED DATE: 10/21/2019 9:16 AM 2019L010842

FILED
10/21/2019 9:16 AM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2019L010842

7028459

2120 - Served 2121 - Served
2220 - Not Served 2221 - Not Served
2320 - Served By Mail 2321 - Served By Mail
2420 - Served By Publication 2421 - Served By Publication
Summons - Alias Summons

(08/01/18) CCG 0001 A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

GEORIEA HAWKINS

(Name all parties)

Case No. 2019L010842

v.
WILLIAM HENRY SOWER and DJS
TRUCKING EXPRESS, INC.

DJS TRUCKING EXPRESS, INC.
c/o Registered Agent David Kamper
22544 S. MCCABLE RD
PICKFORD, MI 49774

☒ SUMMONS ☐ ALIAS SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance and pay the required fee within thirty (30) days after service of this Summons, not counting the day of service. To file your answer or appearance you need access to the internet. Please visit www.cookcountyclerkofcourt.org to initiate this process. Kiosks with internet access are available at all Clerk's Office locations. Please refer to the last page of this document for location information.

If you fail to do so, a judgment by default may be entered against you for the relief requested in the complaint.

To the Officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than thirty (30) days after its date.

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois
cookcountyclerkofcourt.org

Page 1 of 3

EXHIBIT B

Summons - Alias Summons

(08/01/18) CCG 0001 B

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>, or talk with your local circuit clerk's office.

Atty. No.: 47926

Robert R. Duncan

Atty Name: Nicholas P. Kelly

Atty. for: Georica Hawkins

Address: 161 North Clark Street Suite 2550

City: Chicago

State: IL Zip: 60601

Telephone: (312) 202-3283

Primary Email: rrd@duncanlawgroup.com

Witness: _____

10/21/2018 9:16 AM DOROTHY BROWN

DOROTHY BROWN, Clerk of Court

Date of Service _____
(To be inserted by server or copy left with
Defendant or other person)



Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois
cookcountyclerkofcourt.org

FILED DATE: 10/21/2019 9:16 AM: 2019L010842

CLERK OF THE CIRCUIT COURT OF COOK COUNTY OFFICE LOCATIONS

- ☐ Richard J Daley Center
50 W Washington
Chicago, IL 60602
- ☐ District 2 - Skokie
5600 Old Orchard Rd
Skokie, IL 60077
- ☐ District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008
- ☐ District 4 - Maywood
1500 Maybrook Ave
Maywood, IL 60153
- ☐ District 5 - Bridgeview
10220 S 76th Ave
Bridgeview, IL 60455
- ☐ District 6 - Markham
16501 S Kedzie Pkwy
Markham, IL 60428
- ☐ Domestic Violence Court
555 W Harrison
Chicago, IL 60607
- ☐ Juvenile Center Building
2245 W Ogden Ave, Rm 13
Chicago, IL 60602
- ☐ Criminal Court Building
2650 S California Ave, Rm 526
Chicago, IL 60608
- Daley Center Divisions/Departments**
 - ☐ Civil Division
Richard J Daley Center
50 W Washington, Rm 601
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
 - ☐ Chancery Division
Richard J Daley Center
50 W Washington, Rm 802
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
 - ☐ Domestic Relations Division
Richard J Daley Center
50 W Washington, Rm 802
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
 - ☐ Civil Appeals
Richard J Daley Center
50 W Washington, Rm 801
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
 - ☐ Criminal Department
Richard J Daley Center
50 W Washington, Rm 1006
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
 - ☐ County Division
Richard J Daley Center
50 W Washington, Rm 1202
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
 - ☐ Probate Division
Richard J Daley Center
50 W Washington, Rm 1202
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
 - ☒ Law Division
Richard J Daley Center
50 W Washington, Rm 801
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
 - ☐ Traffic Division
Richard J Daley Center
50 W Washington, Lower Level
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois
cookcountyclerkofcourt.org

12-Person Jury

Appearance

(12/30/15) CCL N530

FILED

11/20/2019 3:10 PM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, ILIN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

Georia Hawkins

Plaintiff

v.

William Henry Sower and DJS Trucking Express, Inc.

Defendant

No. 2019-L-010842

Calendar: Z

2019L010842

APPEARANCE

☒ GENERAL APPEARANCE0900 - APPEARANCE - FEE PAID; 0909 - APPEARANCE - NO FEE;
0904 - APPEARANCE FILED - FEE WAIVED☒ JURY DEMAND1900 - APPEARANCE & JURY DEMAND - FEE PAID
1909 - APPEARANCE & JURY DEMAND - NO FEE

The undersigned enters the appearance of:

☐ Plaintiff☒ Defendant

William Henry Sower and DJS Trucking Express, Inc.

(Insert litigant's name.)



Signature

☒ INITIAL COUNSEL OF RECORD☐ PRO SE☐ ADDITIONAL APPEARANCE☐ SUBSTITUTE APPEARANCE

A copy of this appearance shall be given to all parties who have appeared and have not been found by the Court to be in default.

☒ Atty. No.: 16741 ☐ Pro Se 99500

(Please complete the following contact information.)

Name: Kathleen McDonough / Justin Dobek - Wilson Elser

Atty. for: Defendants

Address: 55 W. Monroe Street, Suite 3800

City/State/Zip: Chicago, IL 60603

Telephone: (312) 704-0550

Primary Email: kathleen.mcdonough@wilsonelser.com

Secondary Email: justin.dobek@wilsonelser.com

Tertiary Email:

Pro Se Only: ☐ I have read and agree to the terms of the Clerk's Office Electronic Notice Policy and choose to opt in to electronic notice from the Clerk's office for this case at this email address:

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK CO

Page 1 of 1

EXHIBIT C

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

FILED
12/16/2019 4:27 PM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2019L010842

GEORIEA HAWKINS,)	
)	
Plaintiff,)	
)	No. 2019 L 010842
vs.)	
)	
WILLIAM HENRY SOWER and DJS)	
TRUCKING EXPRESS, INC.)	
)	
Defendants.)	

**DEFENDANTS WILLIAM HENRY SOWER AND DJS TRUCKING EXPRESS, INC.S'
ANSWER TO PLAINTIFF'S COMPLAINT**

Defendants WILLIAM HENRY SOWER ("Sower") and DJS TRUCKING EXPRESS, INC., ("DJS Trucking") by their attorneys, states the following for their Answers to Plaintiff's Complaint. Except as expressly admitted, William Henry Sower and DJS Trucking Express, Inc. denies each and every allegation in Plaintiff's Complaint. William Henry Sower and DJS Trucking Express, Inc.'s specific responses to the numbered allegations are set forth below:

**COUNT I
NEGLIGENCE — WILLIAM HENRY SOWER**

1. On and before October 5, 2017, the Dan Ryan Expressway was a freeway running in a north-south direction in Chicago, Cook County, Illinois.

ANSWER: Defendant Sower admits the allegations contained in Paragraph 1 of Count 1 of Plaintiff's Complaint at Law.

2. On and before October 5, 2017, 37th Street was a street running in an east-west direction in Chicago, Cook County, Illinois.

ANSWER: Defendant Sower admits the allegations contained in Paragraph 2 of Count 1 of Plaintiff's Complaint at Law.

3. On October 5, 2017, Plaintiff, GEORIEA HAWKINS, was operating her vehicle in a southbound direction on the Dan Ryan Expressway, at or near its intersection with 37th Street in Chicago, Cook County, Illinois.

ANSWER: Defendant Sower lacks sufficient knowledge to either admit or deny the allegations contained in Paragraph 3 of Count 1 of Plaintiff's Complaint at Law. Defendant Sower therefore denies the same and demands strict proof thereof.

4. On October 5, 2017, Defendant, SOWER, operated, managed, maintained and controlled a semi-tractor trailer in a southbound direction on the Dan Ryan Expressway, at or near its intersection with 37th Street in Chicago, Cook County, Illinois.

ANSWER: Defendant Sower admits the allegations contained in Paragraph 4 of Count 1 of Plaintiff's Complaint at Law.

5. At the time and place aforesaid, the semi-tractor trailer, operated, managed, maintained and controlled by Defendant, SOWER, was following the vehicle operated by Plaintiff, GEORIA HAWKINS.

ANSWER: Defendant Sower denies the allegations contained in Paragraph 5 of Count 1 of Plaintiff's Complaint at Law, and demands strict proof thereof.

6. At the time and place aforesaid, the semi-tractor trailer operated, managed, maintained and controlled by Defendant, SOWER, collided with the rear of the vehicle operated by Plaintiff, GEORIEA HAWKINS.

ANSWER: Defendant Sower denies the allegations contained in Paragraph 6 of Count 1 of Plaintiff's Complaint at Law, and demands strict proof thereof.

7. It was then and there the duty of Defendant, SOWER, to exercise ordinary care and caution in the operation, management, maintenance and control of the semi-tractor trailer he was operating so as not to cause injury or damage to the person or property of Plaintiff, GEORIEA HAWKINS.

ANSWER: Defendant Sower does not answer the allegations contained in Paragraph 7 of Count 1 of Plaintiff's Complaint at Law as they call for a legal conclusion.

To the extent a response is deemed necessary, Defendant Sower admits only to those duties that exist under Illinois law, denies the remaining allegations contained in Paragraph 7 and demands strict proof thereof.

8. Notwithstanding his duty, Defendant, SOWER, was then and there negligent in one or more of the following respects:

- a. Failed to decrease the speed of said semi-tractor trailer as was necessary to avoid colliding with Plaintiff, GEORIEA HAWKINS vehicle in violation of 625 ILCS 5/11-710(a); or,
- b. Operated said semi-tractor trailer more closely than was reasonable and property to another vehicle contrary to and in violation of 625 ILCS 5/11-710(a); or,
- c. Drove his semi-tractor trailers at a speed which was greater than was reasonable and proper with regard to traffic conditions and which endangered the safety of the person and property of others, contrary to and in violation of 625 ILCS 5/11-601(a); or,
- d. Operated his semi-tractor trailer without keeping a proper and sufficient
- e. Failed to operate his semi-tractor trailer in a reasonably safe manner so as not to cause injury to Plaintiff, GEORIEA HAWKINS; or,
- f. Was otherwise careless and/or negligent

ANSWER: Defendant Sower denies the allegations contained in Paragraph 8 of Count 1 of Plaintiff's Complaint at Law, including sub-paragraphs (a)-(f) and demands strict proof thereof.

9. As a direct and proximate result of one or more of the foregoing negligent acts or omissions of Defendant, SOWER, Plaintiff, GEORIEA HAWKINS, sustained injuries of a personal, pecuniary and permanent nature.

ANSWER: Defendant Sower denies the allegations contained in Paragraph 9 of Count 1 of Plaintiff's Complaint at Law, and demands strict proof thereof.

COUNT II
NEGLIGENCE — WILLIAM HENRY SOWER/DJS TRUCKING EXPRESS, INC.

1. On and before October 5, 2017, Defendant, DJS TRUCKING EXPRESS, INC., was an Arkansas Corporation, licensed and doing business in the State of Illinois.

ANSWER: Defendant DJS Trucking denies the allegations contained in Paragraph 1 of Count 2 of Plaintiff's Complaint at Law, and demands strict proof thereof.

2. On October 5, 2017, Defendant, DJS TRUCKING EXPRESS, INC., owned the semi-tractor trailer (VIN: 1XKWDB9X85J086335) operated by Defendant, SOWER.

ANSWER: Defendant DJS Trucking admits the allegations contained in Paragraph 2 of Count 2 of Plaintiff's Complaint at Law.

3. On October 5, 2017, and at all times mentioned herein, Defendant, SOWER, was the agent and/or employee of Defendant, DJS TRUCKING EXPRESS, INC.

ANSWER: Defendant DJS Trucking admits the allegations contained in Paragraph 3 of Count 2 of Plaintiff's Complaint at Law.

4. At all times mentioned herein, Defendant, SOWER, was acting within the scope of his agency and/or employment with Defendant, DJS TRUCKING EXPRESS, INC.

ANSWER: Defendant DJS Trucking admits the allegations contained in Paragraph 4 of Count 2 of Plaintiff's Complaint at Law.

5. On and before October 5, 2017, the Dan Ryan Expressway was a freeway running in a north-south direction in Chicago, Cook County, Illinois.

ANSWER: Defendant DJS Trucking admits the allegations contained in Paragraph 5 of Count 2 of Plaintiff's Complaint at Law.

6. On and before October 5, 2017, 37th Street was a street running in an east-west direction in Chicago, Cook County, Illinois.

ANSWER: Defendant DJS Trucking admits the allegations contained in Paragraph 6 of Count 2 of Plaintiff's Complaint at Law.

7. On October 5, 2017, Plaintiff, GEORIEA HAWKINS, was operating her vehicle in a southbound direction on the Dan Ryan Expressway, at or near its intersection with 37th Street.

ANSWER: Defendant DJS Trucking lacks sufficient knowledge to either admit or deny the allegations contained in Paragraph 7 of Count 2 of Plaintiff's Complaint at Law. Defendant DJS Trucking therefore denies the same and demands strict proof thereof.

8. On October 5, 2017 Defendant, SOWER, operated, managed, maintained and controlled a semi-tractor trailer in a southbound direction on the Dan Ryan Expressway, at or near its intersection with 37th Street in Chicago, Cook County, Illinois.

ANSWER: Defendant DJS Trucking admits the allegations contained in Paragraph 8 of Count 2 of Plaintiff's Complaint at Law.

9. At the time and place aforesaid, the semi-tractor trailer, operated, managed, maintained and controlled by Defendant, SOWER, was following the vehicle operated by Plaintiff, GEORIEA HAWKINS.

ANSWER: Defendant DJS Trucking denies the allegations contained in Paragraph 9 of Count 2 of Plaintiff's Complaint at Law, same and demands strict proof thereof.

10. At the time and place aforesaid, the semi-tractor trailer operated, managed, maintained and controlled by Defendant, SOWER, collided with the rear of the vehicle operated by Plaintiff, GEORIEA HAWKINS.

ANSWER: Defendant DJS Trucking denies the allegations contained in Paragraph 10 of Count 2 of Plaintiff's Complaint at Law, same and demands strict proof thereof.

11. It was then and there the duty of Defendant, SOWER, individually, and as agent and/or employee of Defendant, DJS TRUCKING EXPRESS, INC., to exercise ordinary care and caution in the operation, management and control of the semi-tractor trailer he was operating so as not to cause injury or damage to the person or property of Plaintiff, GEORIEA HAWKINS.

ANSWER: Defendant DJS Trucking does not answer the allegations contained in Paragraph 11 of Count 2 of Plaintiff's Complaint at Law as they call for a legal conclusion. To the extent a response is deemed necessary, Defendant DJS Trucking admits only to those

duties that exist under Illinois law, denies the remaining allegations contained in Paragraph 11 and demands strict proof thereof.

12. Notwithstanding his duty, Defendant, SOWER, individually, and as agent and/or employee of Defendant, DJS TRUCKING EXPRESS, INC., was then and there negligent in one or more of the following respects:

- a. Failed to decrease the speed of said semi-tractor trailer as was necessary to avoid colliding with Plaintiff, GEORIEA HAWKINS vehicle in violation of 625 ILCS 5/11-710(a); or,
- b. Operated said semi-tractor trailer more closely than was reasonable and property to another vehicle contrary to and in violation of 625 ILCS 5/11-710(a); or,
- c. Drove his semi-tractor trailers at a speed which was greater than was reasonable and proper with regard to traffic conditions and which endangered the safety of the person and property of others, contrary to and in violation of 625 ILCS 5/11-601(a); or,
- d. Operated his semi-tractor trailer without keeping a proper and sufficient
- e. Failed to operate his semi-tractor trailer in a reasonably safe manner so as not to cause injury to Plaintiff, GEORIEA HAWKINS; or,
- f. Was otherwise careless and/or negligent.

ANSWER: Defendant DJS Trucking denies the allegations contained in Paragraph 12 of Count 2 of Plaintiff's Complaint at Law, including sub-paragraphs (a)-(f) and demands strict proof thereof.

13. As a direct and proximate result of one or more of the foregoing negligent acts or omissions of Defendant, SOWER, individually, and as agent and/or employee of Defendant, DJS

TRUCKING EXPRESS, INC., Plaintiff, GEORIEA HAWKINS, sustained injuries of a personal, pecuniary and permanent nature.

ANSWER: Defendant DJS Trucking denies the allegations contained in Paragraph 13 of Count 2 of Plaintiff's Complaint at Law, and demands strict proof thereof.

WHEREFORE, Defendant DJS TRUCKING EXPRESS, INC. denies that it is liable to Plaintiff, and requests that judgment be entered in its favor, including costs, against Plaintiff.

AFFIRMATIVE DEFENSES

Defendants, Henry William Sower and DJS Trucking Express, Inc. through their attorneys, WILSON ELSEER MOSKOWITZ EDELMAN & DICKER LLP, asserts the following affirmative defenses in response to Plaintiff's Complaint:

FIRST AFFIRMATIVE DEFENSE

Negligence

Plaintiff's damages, if any, were caused in whole or in part by Georiea Hawkins's own conduct, not under the control of Defendants. Plaintiffs should be barred from any recovery from the Defendants if Georiea Hawkins's was more than 50% responsible for damages or, if less than 50% responsible, Plaintiff's damages, if any, should be reduced accordingly.

WILSON ELSEER MOSKOWITZ EDELMAN & DICKER LLP

By: /s/ Justin Dobek
One of the attorneys for Defendants

Kathleen McDonough
Justin Dobek
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Firm I.D. 16741

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing instrument was served via e-mail on December 16, 2019 on the following counsel:

Nicholas Kelly
Duncan Law Group, LLC
161 N. Clark, Suite 2550
Chicago, IL 60601
npk@duncanlawgroup.com

/s/ Justin Dobek

FILED DATE: 12/16/2019 4:27 PM 2019L010842

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

GEORIEA HAWKINS,

Plaintiff,

vs.

WILLIAM HENRY SOWER and
DJS TRUCKING EXPRESS, INC.

Defendants.

No. 2019 L 010842

PLAINTIFF'S ANSWERS TO DEFENDANTS' FIRST REQUEST FOR ADMISSION

NOW COMES, Plaintiff, GEORIEA HAWKINS, by and through her attorneys, DUNCAN LAW GROUP, LLC, and for her answers to Defendants, WILLIAM HENRY SOWER and DJS TRUCKING EXPRESS, INC.'s First Request for Admission of Fact to Plaintiffs, states as follows:

REQUEST NO. 1

Admit that your total alleged damages against both named Defendants, including but not limited to medical expenses, property damage, lost wages, and all other costs, do not exceed \$75,000.00.

ANSWER: Plaintiff denies that her total alleged damages against both named Defendants, including but not limited to medical expenses, property damage, lost wages, and all other costs, do not exceed \$75,000.00.

REQUEST NO. 2

Admit that on October 21, 2019 you were a resident of the State of Illinois.

ANSWER: Plaintiff admits that she was a resident of the State of Illinois on October 21, 2019.

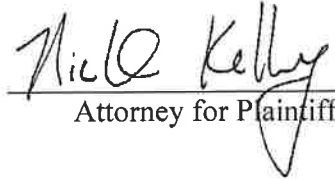
REQUEST NO. 3

Admit that on October 21, 2019 you were not a resident of the State of Michigan.

ANSWER: Plaintiff admits that she was not a resident of the State of Michigan on October 21, 2019.

Respectfully submitted,
DUNCAN LAW GROUP, LLC

By:



Attorney for Plaintiff

Robert R. Duncan
Nicholas P. Kelly
DUNCAN LAW GROUP, LLC
161 N. Clark, Suite 2550
Chicago, IL 60601
Phone: (312) 202-3283
Fax: (312) 202-3284
Atty No.: 47926
Email: rrd@duncanlawgroup.com
npk@duncanlawgroup.com

SECTION 1-109 VERIFICATION BY CERTIFICATION

Under the penalties as provided by law pursuant to 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies that she verily believes the same to be true.

Georica Hawkins

A handwritten signature in cursive script, appearing to read "Georica Hawkins", written over a horizontal line.

Georica Hawkins

Dated: December 30, 2019

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

GEORIEA HAWKINS,

Plaintiff,

vs.

WILLIAM HENRY SOWER and DJS
TRUCKING EXPRESS, INC.

Defendants.

No. 2019 L 010842


**WILLIAM HENRY SOWER'S AFFIDAVIT
OF CITIZENSHIP & CONSENT TO REMOVAL**

I, William Henry Sower being of legal age, state under penalty of perjury that the following statements are true and accurate, to the best of my knowledge and belief:

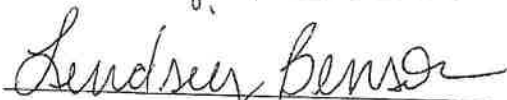
1. I am a citizen and resident of the State of Michigan.
2. I am a defendant in the above captioned matter.
3. I do not object to the removal of this matter from Cook County, Illinois to the U.S. District Court for the Northern District of Illinois.

Further Affiant Sayeth not.

By:


William Henry Sower

SUBSRIBED and SWORN to before me
On January 7, 2020, 2020.


NOTARY PUBLIC

LINDSEY BENSON

Notary public, Chippewa County, Michigan
My commission expires March 16, 2025
Acting in the County of Mackinac

EXHIBIT F